

ADDRESSING THE SUPPLY CHAIN
CRISIS

(Mrs. STEEL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. STEEL. Madam Speaker, passing the Don Young Coast Guard Authorization Act of 2022 was an important step in addressing the ongoing economic crisis facing our country.

This legislation includes my bipartisan proposal to establish a task force to address the ongoing port backlog at the Ports of Long Beach and Los Angeles.

These ports move 40 percent of all shipping containers entering the U.S. and are major ports of entry for California's oil supply.

The combination of the ports' backlog, inflation, and the administration's crippling energy policies are making everything unaffordable for Californians, especially gas.

We must address the supply chain crisis, unleash domestic energy production, and stop the reckless government spending driving inflation.

I urge the Senate to pass this bill immediately so we can tackle this crisis and help California families.

CONTINUATION OF THE NATIONAL
EMERGENCY WITH RESPECT TO
SIGNIFICANT MALICIOUS CYBER-
ENABLED ACTIVITIES—MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES (H. DOC. NO. 117-
103)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13694 of April 1, 2015, with respect to significant malicious cyber-enabled activities, is to continue in effect beyond April 1, 2022.

Significant malicious cyber-enabled activities originating from, or directed by persons located, in whole or in substantial part, outside the United States continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared

in Executive Order 13694 with respect to significant malicious cyber-enabled activities.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, March 30, 2022.

CONTINUATION OF THE NATIONAL
EMERGENCY WITH RESPECT TO
SOUTH SUDAN—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 117-104)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13664 of April 3, 2014, with respect to South Sudan is to continue in effect beyond April 3, 2022.

The situation in and in relation to South Sudan, which has been marked by activities that threaten the peace, security, or stability of South Sudan and the surrounding region, including widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers, and obstruction of humanitarian operations, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13664 with respect to South Sudan.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, March 30, 2022.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

□ 1215

STOP SEXUAL ASSAULT AND HAR-
ASSMENT IN TRANSPORTATION
ACT

Mr. DEFAZIO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5706) to protect transpor-

tation personnel and passengers from sexual assault and harassment, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Sexual Assault and Harassment in Transportation Act".

SEC. 2. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES ON AIR CARRIERS AND FOREIGN AIR CARRIERS.

(a) IN GENERAL.—Chapter 417 of title 49, United States Code, is amended by adding at the end the following:

"§ 41727. Formal sexual assault and harassment policies

"(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this section, each air carrier and foreign air carrier transporting passengers for compensation shall issue, in consultation with labor unions representing personnel of the air carrier or foreign air carrier, a formal policy with respect to transportation sexual assault or harassment incidents.

"(b) CONTENTS.—The policy required under subsection (a) shall include—

"(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

"(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

"(A) appropriate public outreach activities; and

"(B) confidential phone and internet-based opportunities for reporting;

"(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

"(4) procedures that may limit or prohibit, to the extent practicable, future travel with the air carrier or foreign air carrier by any passenger who causes a transportation sexual assault or harassment incident; and

"(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

"(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

"(B) recognizing and responding to potential human trafficking victims, in the same manner as required under section 44734(a)(4).

"(c) PASSENGER INFORMATION.—An air carrier or foreign air carrier described in subsection (a) shall prominently display, on the internet website of the air carrier or foreign air carrier and through the use of appropriate signage, a written statement that—

"(1) advises passengers and personnel that the carrier has adopted a formal policy with respect to transportation sexual assault or harassment incidents;

"(2) informs passengers and personnel of the other major components of the carrier's formal policy, including a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

"(3) informs passengers and personnel of the procedure for reporting a transportation sexual assault or harassment incident.

"(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the air carrier or foreign air carrier

described in subsection (a) has acted with any requisite standard of care.

“(e) DEFINITIONS.—In this section:

“(1) PERSONNEL.—The term ‘personnel’ means an employee or contractor of an air carrier or foreign air carrier.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

“(3) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘transportation sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

“(A) constitutes sexual assault or sexual harassment; and

“(B) is committed—

“(i) by a passenger or member of personnel of an air carrier or foreign air carrier against another passenger or member of personnel of an air carrier or foreign air carrier; and

“(ii) within an aircraft or in an area in which passengers are entering or exiting an aircraft.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by adding at the end the following:

“41727. Formal sexual assault and harassment policies.”.

SEC. 3. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES FOR CERTAIN MOTOR CARRIERS.

(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, each covered motor carrier shall issue, in consultation with labor unions representing personnel of the covered motor carrier, a formal policy with respect to transportation sexual assault or harassment incidents.

(b) CONTENTS.—The policy required under subsection (a) shall include—

(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

(A) appropriate public outreach activities; and

(B) confidential phone and internet-based opportunities for reporting;

(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

(4) procedures that may limit, to the extent practicable, future travel with the covered motor carrier by any passenger who causes a transportation sexual assault or harassment incident; and

(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

(B) recognizing and responding to potential human trafficking victims.

(c) PASSENGER INFORMATION.—A covered motor carrier shall prominently display, on the internet website of the covered motor carrier and through the use of appropriate signage, a written statement that—

(1) advises passengers that the covered motor carrier has adopted a formal policy with respect to transportation sexual assault or harassment incidents;

(2) informs passengers and personnel of the other major components of the covered motor carrier's formal policy, including a

statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

(3) informs passengers of the procedure for reporting a transportation sexual assault or harassment incident.

(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the covered motor carrier has acted with any requisite standard of care.

(e) DEFINITIONS.—In this section:

(1) PERSONNEL.—The term ‘personnel’ means an employee or contractor of a covered motor carrier.

(2) COVERED MOTOR CARRIER.—The term ‘covered motor carrier’ means a motor carrier of passengers that—

(A) conducts regularly scheduled intercity service; and

(B) is a Class I carrier (as that term is used in section 369.3(a) of title 49, Code of Federal Regulations).

(3) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

(4) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘transportation sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

(A) constitutes sexual assault or sexual harassment; and

(B) is committed—

(i) by a passenger or member of personnel of covered motor carrier against another passenger or member of personnel of the covered motor carrier; and

(ii) within a vehicle of the motor carrier or in an area in which passengers are entering or exiting such a vehicle.

SEC. 4. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES ON PASSENGER COMMUTER AND INTERCITY RAIL.

(a) IN GENERAL.—Chapter 241 of title 49, United States Code, is amended by adding at the end the following:

“§ 24104. Formal sexual assault and harassment policies

“(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this section, each covered rail entity shall issue, in consultation with labor unions representing personnel with respect to the covered rail entity, a formal policy with respect to transportation sexual assault or harassment incidents.

“(b) CONTENTS.—The policy required under subsection (a) shall include—

“(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

“(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

“(A) appropriate public outreach activities; and

“(B) confidential phone and internet-based opportunities for reporting;

“(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

“(4) procedures that may limit or prohibit, to the extent practicable, future travel with the covered rail entity by any passenger who causes a transportation sexual assault or harassment incident; and

“(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

“(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

“(B) recognizing and responding to potential human trafficking victims.

“(c) PASSENGER INFORMATION.—A covered rail entity shall prominently display, on the internet website of the entity and through the use of appropriate signage, a written statement that—

“(1) advises passengers and personnel that the covered rail entity has adopted a formal policy with respect to transportation sexual assault or harassment incidents;

“(2) informs passengers and personnel of the other major components of the covered rail entity's formal policy, including a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

“(3) informs passengers and personnel of the procedure for reporting a transportation sexual assault or harassment incident.

“(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the covered rail entity has acted with any requisite standard of care.

“(e) DEFINITIONS.—In this section:

“(1) COVERED RAIL ENTITY.—The term ‘covered rail entity’ means an entity providing commuter rail passenger transportation or intercity rail passenger transportation.

“(2) PERSONNEL.—The term ‘personnel’ means an employee or contractor of a covered rail entity.

“(3) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

“(4) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘transportation sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

“(A) constitutes sexual assault or sexual harassment; and

“(B) is committed—

“(i) by a passenger or member of personnel of covered rail entity against another passenger or member of personnel of the covered rail entity; and

“(ii) within a vehicle of the covered rail entity or in an area in which passengers are entering or exiting such a vehicle.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 241 of title 49, United States Code, is amended by adding at the end the following:

“24104. Formal sexual assault and harassment policies.”.

SEC. 5. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES ON TRANSIT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by adding at the end the following:

“§ 5341. Formal sexual assault and harassment policies

“(a) REQUIREMENT.—Not later than 180 days after the date of enactment of this section, each covered transit entity shall issue, in consultation with labor unions representing personnel with respect to the covered transit entity, a formal policy with respect to transportation sexual assault or harassment incidents.

“(b) CONTENTS.—The policy required under subsection (a) shall include—

“(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

“(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

“(A) appropriate public outreach activities; and

“(B) confidential phone and internet-based opportunities for reporting;

“(3) procedures that personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

“(4) procedures that may limit, to the extent practicable, future travel with the covered transit entity by any passenger who causes a transportation sexual assault or harassment incident; and

“(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

“(A) specific training for personnel who may receive reports of transportation sexual assault or harassment incidents; and

“(B) recognizing and responding to potential human trafficking victims.

“(c) PASSENGER INFORMATION.—A covered transit entity shall prominently display, on the internet website of the entity and through the use of appropriate signage, a written statement that—

“(1) advises passengers and personnel that the covered transit entity has adopted a formal policy with respect to transportation sexual assault or harassment incidents;

“(2) informs passengers and personnel of the other major components of the covered transit entity's formal policy, including a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

“(3) informs passengers and personnel of the procedure for reporting a transportation sexual assault or harassment incident.

“(d) STANDARD OF CARE.—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the covered transit entity has acted with any requisite standard of care.

“(e) DEFINITIONS.—In this section:

“(1) COVERED TRANSIT ENTITY.—The term ‘covered transit entity’ means a State or local governmental entity, private nonprofit organization, or Tribe that—

“(A) operates a public transportation service; and

“(B) is a recipient or subrecipient of funds under this chapter.

“(2) PERSONNEL.—The term ‘personnel’ means an employee or contractor of a covered transit entity.

“(3) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

“(4) TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘transportation sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

“(A) constitutes sexual assault or sexual harassment; and

“(B) is committed—

“(i) by a passenger or member of personnel of covered transit entity against another passenger or member of personnel of the covered transit entity; and

“(ii) within a vehicle of the covered transit entity or in an area in which passengers are entering or exiting such a vehicle.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by adding at the end the following:

“5341. Formal sexual assault and harassment policies.”.

SEC. 6. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES FOR PASSENGER VESSELS.

(a) IN GENERAL.—Section 3507(d) of title 46, United States Code, is amended—

(1) in paragraph (4), by striking “and” after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6)(A) issue a formal policy with respect to sexual assault or harassment incidents that includes—

“(i) a statement indicating that no sexual assault or harassment incident is acceptable under any circumstance;

“(ii) procedures that facilitate the reporting of a sexual assault or harassment incident, including—

“(I) appropriate public outreach activities; and

“(II) confidential phone and internet-based opportunities for reporting;

“(iii) procedures that personnel should follow upon the reporting of a sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and how to provide the information and access required under paragraph (5);

“(iv) procedures that may limit or prohibit, to the extent practicable, future travel on the vessel by any passenger who causes a transportation sexual assault or harassment incident; and

“(v) training that is required for all appropriate personnel with respect to the policy required under this paragraph, including—

“(I) specific training for personnel who may receive reports of sexual assault or harassment incidents; and

“(II) recognizing and responding to potential human trafficking victims; and

“(B) prominently display on the internet website of the vessel owner and, through the use of appropriate signage on each vessel, a written statement that—

“(i) advises passengers and crew members that the vessel owner has adopted a formal policy with respect to sexual assault or harassment incidents;

“(ii) informs passengers and personnel of the other major components of the vessel owner's formal policy, including a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

“(iii) informs passengers and crew members of the procedure for reporting a sexual assault or harassment incident; and

“(7) have a formal policy in effect with respect to sexual assault or harassment incidents.”.

(b) REPORTING REQUIREMENT.—Section 3507(g)(3)(A)(i) of title 46, United States Code, is amended by inserting “including any incident reported under the procedures established under subsection (d)(6)(A) that constitutes a violation of such sections of title 18,” after “title 18 applies.”.

(c) STANDARD OF CARE.—Compliance with the requirements of the amendments made by this section, and any policy issued thereunder, shall not determine whether the applicable owner of a vessel covered by such amendments has acted with any requisite standard of care.

(d) DEFINITIONS.—Section 3507(l) of title 46, United States Code, is amended to read as follows:

“(1) DEFINITIONS.—

“(1) OWNER.—In this section and section 3508, the term ‘owner’ means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ means the occurrence of an act that constitutes any nonconsensual sexual act

proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

“(3) SEXUAL ASSAULT OR HARASSMENT INCIDENT.—The term ‘sexual assault or harassment incident’ means the occurrence, or reasonably suspected occurrence, of an act that—

“(A) constitutes sexual assault or sexual harassment; and

“(B) is committed—

“(i) by a passenger of a vessel to which this section applies or a member of the crew of such a vessel against another passenger of such vessel or a member of the crew of such a vessel; and

“(ii) within—

“(I) such a vessel; or

“(II) an area in which passengers are entering or exiting such a vessel.”.

(e) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the owner of a vessel to which section 3507 of title 46, United States Code, applies shall issue the formal policy with respect to sexual assault or harassment incidents required by the amendments made by this section.

SEC. 7. CIVIL PENALTIES FOR INTERFERENCE WITH CERTAIN TRANSPORTATION PERSONNEL.

(a) IN GENERAL.—Chapter 805 of title 49, United States Code, is amended by adding at the end the following:

“§ 80505. Interference with certain transportation personnel

“(a) GENERAL RULE.—An individual who physically or sexually assaults or threatens to physically or sexually assault an employee engaged in the transportation of passengers on behalf of a covered entity, or takes any action that poses an imminent threat to the safety of a vehicle of a covered entity that is transporting passengers, including rolling stock, motorcoaches, and ferries, is liable to the United States Government for a civil penalty of—

“(1) for calendar years 2021 through 2025, not more than \$35,000;

“(2) for calendar years 2026 through 2030, not more than \$40,000; and

“(3) for calendar year 2031 and thereafter, not more than \$45,000.

“(b) COMPROMISE AND SETOFF.—

“(1) COMPROMISE.—The Secretary of Transportation may compromise the amount of a civil penalty imposed under this section.

“(2) SETOFF.—The United States Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts the Government owes the person liable for the penalty.

“(c) COVERED ENTITY DEFINED.—In this section, the term ‘covered entity’ means an entity that is 1 of the following:

“(1) A recipient of Federal funds under chapter 53 of this title.

“(2) A motor carrier of passengers that—

“(A) conducts regularly scheduled intercity service; and

“(B) is a Class I carrier (as that term is used in section 369.3(a) of title 49, Code of Federal Regulations).

“(3) An entity providing commuter rail passenger transportation or intercity rail passenger transportation (as those terms are defined in section 24102 of this title).

“(4) The owner of a vessel for which section 3507 of title 46 applies.

“(5) A transportation network company.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 805 of title 49, United States Code, is amended by inserting after the item relating to section 80504 the following:

“80505. Interference with certain transportation personnel.”.

(c) GRADUATED FINES FOR INTERFERENCE WITH CABIN OR FLIGHT CREW.—Section

46318(a) of title 49, United States Code, is amended by striking “penalty of not more than \$35,000.” and inserting the following: “penalty of—

“(1) for calendar years 2021 through 2025, not more than \$35,000;

“(2) for calendar years 2026 through 2030, not more than \$40,000; and

“(3) for calendar year 2031 and thereafter, not more than \$45,000.”.

SEC. 8. FORMAL SEXUAL ASSAULT AND HARASSMENT POLICIES FOR TRANSPORTATION NETWORK COMPANIES AND FOR-HIRE VEHICLE COMPANIES.

(a) **REQUIREMENT.**—Not later than 180 days after the date of enactment of this Act, each transportation network company and for-hire vehicle company shall issue, in consultation with labor unions representing TNC drivers of each such transportation network company or FVC drivers of each for-hire vehicle company, if applicable, a formal policy with respect to transportation sexual assault or harassment incidents.

(b) **CONTENTS.**—The policy required under subsection (a) shall include—

(1) a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance;

(2) procedures that facilitate the reporting of a transportation sexual assault or harassment incident, including—

(A) appropriate public outreach activities;

(B) confidential phone and internet-based opportunities for reporting; and

(C) TNC personnel or FVC personnel trained to receive reports;

(3) procedures that TNC personnel or FVC personnel should follow upon the reporting of a transportation sexual assault or harassment incident, including actions to protect affected individuals from continued sexual assault or harassment and to notify law enforcement when appropriate;

(4) procedures that may limit or prohibit, to the extent practicable, future use of the transportation network company platform by any passenger or TNC driver, or future use of the for-hire vehicle company service by any passenger or FVC driver, who causes a transportation sexual assault or harassment incident; and

(5) training that is required for all appropriate personnel with respect to the policy required under subsection (a), including—

(A) specific training for such personnel who may receive reports of transportation sexual assault or harassment incidents; and

(B) recognizing and responding to potential human trafficking victims.

(c) **PASSENGER INFORMATION.**—A transportation network company or for-hire vehicle company shall prominently display, on the internet website of the company and through the use of appropriate signage, a written statement that—

(1) advises passengers that the transportation network company or for-hire vehicle company has adopted a formal policy with respect to transportation sexual assault or harassment incidents;

(2) informs passengers, TNC drivers, TNC personnel, FVC drivers, and FVC personnel of the other major components of the transportation network company’s formal policy or the for-hire vehicle company’s formal policy, including a statement indicating that no transportation sexual assault or harassment incident is acceptable under any circumstance; and

(3) informs passengers of the procedure for reporting a transportation sexual assault or harassment incident.

(d) **STANDARD OF CARE.**—Compliance with the requirements of this section, and any policy issued thereunder, shall not determine whether the transportation network company or for-hire vehicle company has acted with any requisite standard of care.

SEC. 9. DATA COLLECTION.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a program to annually collect and maintain data from each covered entity, or, as appropriate, a State or local entity that provides authorized transportation service, on—

(1) the number of transportation sexual assault or harassment incidents reported to the covered entity or State or local entity that provides authorized transportation service, including—

(A) the number of incidents committed against passengers; and

(B) the number of incidents committed against personnel or, in the case of a transportation network company or for-hire vehicle company, a TNC driver or a FVC driver, respectively;

(2) the number of transportation sexual assault or harassment incidents reported to law enforcement by personnel of the covered entity or State or local entity that provides authorized transportation services; and

(3) any transportation sexual assault or harassment incidents compiled and maintained under section 3507(g)(4)(A)(i) of title 46, United States Code.

(b) **DATA AVAILABILITY.**—Subject to subsection (c), the Secretary shall make available to the public on the primary internet website of the Department of Transportation the data collected and maintained under subsection (a).

(c) **DATA PROTECTION.**—Data made available under subsection (b) shall be made available in a manner that—

(1) protects the privacy and confidentiality of individuals involved in a transportation sexual assault or harassment incident;

(2) precludes the connection of the data to any individual covered entity or a State or local entity that provides authorized transportation service; and

(3) is organized by mode of transportation.

(d) **PAPERWORK REDUCTION.**—Subchapter I of chapter 35 of title 44, United States Code, does not apply to this Act.

SEC. 10. CRIMINAL REPORTING PROCESS.

The Attorney General, in coordination with the Secretary of Transportation, shall expand the process required to be established under section 339B of the FAA Reauthorization Act of 2018 (Public Law 115-254) to provide for a streamlined process for any individuals involved in alleged transportation sexual assault or harassment incidents that constitute a violation of law to report those allegations to law enforcement in a manner that protects the privacy and confidentiality of individuals involved in such allegations and through the same primary internet websites as provided under subsection (b) of such section, as determined appropriate by the Attorney General.

SEC. 11. INSPECTOR GENERAL REPORT TO CONGRESS.

Not later than 18 months after the date of enactment of this Act, and every 2 years thereafter, the inspector general of the Department of Transportation shall assess compliance with the provisions of this Act and the amendments made by this Act, including the accuracy of the reporting of transportation sexual assault or harassment incidents by covered entities.

SEC. 12. DEFINITION OF SEXUAL HARASSMENT.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall develop, and publish in the Federal Register, a definition of sexual harassment for purposes of the implementation of this Act and the amendments made by this Act.

(b) **CONSULTATION.**—In developing the definition under subsection (a), the Secretary shall consult with, and consider input from—

(1) labor unions representing transportation workers employed by covered entities; and

(2) national organizations that specialize in providing services to sexual assault victims.

SEC. 13. DEFINITIONS.

In this Act:

(1) **COVERED ENTITY.**—The term “covered entity” means an entity that is one of the following:

(A) An air carrier (as that term is defined in section 40102 of title 49, United States Code) that transports passengers for compensation.

(B) A foreign air carrier (as that term is defined in section 40102 of title 49, United States Code) that transports passengers for compensation.

(C) A State or local governmental entity, private nonprofit organization, or Tribe that—

(i) operates a public transportation service; and

(ii) is a recipient or subrecipient of funds under chapter 53 of title 49, United States Code.

(D) A motor carrier of passengers that—

(i) conducts regularly scheduled intercity service; and

(ii) is a Class I carrier (as that term is used in section 369.3(a) of title 49, Code of Federal Regulations).

(E) An entity providing commuter rail passenger transportation or intercity rail passenger transportation (as those terms are defined in section 24102 of title 49, United States Code).

(F) The owner of a vessel for which section 3507 of title 46, United States Code, applies.

(G) A transportation network company.

(H) A for-hire vehicle company.

(2) **FOR-HIRE VEHICLE COMPANY.**—The term “for-hire vehicle company” means an entity that—

(A) provides passenger transportation in a motor vehicle in exchange for compensation; and

(B) is authorized by a State or local government entity as a taxicab service, limousine service, livery service, black car service, sedan service, chauffeur service, or any other similar category of for-hire transportation service.

(3) **FVC DRIVER.**—The term “FVC driver” means an individual who is employed, contracted by, or otherwise affiliated with a for-hire vehicle company to provide transportation services to the public.

(4) **FVC PERSONNEL.**—The term “FVC personnel” means an employee or contractor of a covered for-hire vehicle company, other than a FVC driver.

(5) **SEXUAL ASSAULT.**—The term “sexual assault” means the occurrence of an act that constitutes any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

(6) **TNC DRIVER.**—The term “TNC driver” means an individual who is employed, contracted by, or otherwise affiliated with a transportation network company to provide transportation services (also known as ride-sharing) to the public.

(7) **TNC PERSONNEL.**—The term “TNC personnel” means an employee or contractor of a covered transportation network company, other than a TNC driver.

(8) **TRANSPORTATION NETWORK COMPANY.**—The term “transportation network company” —

(A) means a corporation, partnership, sole proprietorship, or other entity, that uses a digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle

owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and

(B) does not include a shared-expense car-pool or vanpool arrangement that is not intended to generate profit for the driver.

(9) **TRANSPORTATION SEXUAL ASSAULT OR HARASSMENT INCIDENT.**—The term “transportation sexual assault or harassment incident” means the occurrence, or reasonably suspected occurrence, of an act that—

(A) constitutes sexual assault or sexual harassment; and

(B) is committed—

(i) by a passenger, personnel, TNC driver, or FVC driver of a covered entity, against a passenger, personnel, TNC driver, or FVC driver of the covered entity; and

(ii) within—

(I) a vehicle of the covered entity that is transporting passengers, including aircraft, rolling stock, motorcoaches, and ferries; or

(II) an area in which passengers are entering or exiting such a vehicle.

SEC. 14. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Florida (Mr. WEBSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5706.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DEFAZIO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 5706, the Stop Sexual Assault and Harassment in Transportation Act. The number one goal in the transportation of people, whether it is across town or across an ocean, must be safety. No matter how much progress we have made in increasing the safety of our transportation system, we must always strive to do better.

But as we have seen over the course of the last several years, much more work remains to be done. And unfortunately, the pandemic has only served to exacerbate the problem. For instance, there were more than 5,700 reports of air rage incidents on U.S. airlines in 2021 compared to a typical year of 100 to 150 cases. Many of these incidents included sexual assault and harassment.

In fact, last August, a passenger was arrested for punching a Frontier Airlines flight attendant and groping two others on a flight from Philadelphia to

Miami. On another flight from New York to San Francisco last year, a plane was diverted when a passenger engaged in erratic behavior, including sexually harassing another passenger. The risk of an unwelcome and even threatening environment has never been more real for both passengers and transportation workers alike.

This risk existed long before the pandemic. According to a 2018 study, 68 percent of flight attendants on U.S. airlines say they experienced sexual harassment, and 18 percent experienced some type of physical sexual abuse from passengers during their careers; 68 percent sexual harassment, 18 percent physical sexual abuse.

Moreover, this type of misconduct is not just limited to aviation. For example, sexual assault is by far the most frequently reported crime on cruise ships, with 101 incidents reported in 2019, the last full year before the pandemic shut down much of the industry's operations. While we don't have a comprehensive set of data for public transit, a March 2020 survey of students at San Jose State University found that 63 percent of respondents had experienced some form of harassment while using transit.

In recent years, there may be no other industry this issue has plagued more than transportation network companies. In 2019, Uber released its first-ever report documenting sexual assaults among users of its ride sharing app. The company documented over 6,000 reports of sexual assault incidents in a 2-year span. That is an average of almost 10 sexual assaults in an Uber per day. Just last October, Lyft released its first-ever report documenting 4,158 sexual assault incidents over a span of 3 years. These results highlight the need for the Federal Government to do much more to root out the scourge of sexual assault in our transportation system.

But we can't effectively respond to these incidents until we fully understand the scope of the problem. Unfortunately, there is no Federal clearinghouse for transportation-related sexual assault and harassment incidents. The data that the Department of Justice and the Department of Transportation collect on sexual assault and harassment in transportation are largely of incidents that were directly reported to them, not from transportation providers. This information gap leaves lawmakers, policymakers, and transportation providers themselves unaware of areas where laws and policies should be improved.

That is why the Committee on Transportation and Infrastructure passed my bill, H.R. 5706, the Stop Sexual Assault and Harassment in Transportation Act. This bill will require transportation providers to establish formal policies addressing sexual assault and harassment; direct employees to receive specific training for not just how to handle sexual assault or harassment incidents, but also how to recognize and re-

spond to potential human trafficking activities; and direct the Department of Transportation to establish the first-ever Federal clearinghouse for transportation-related sexual assaults and harassment data to allow us and the traveling public to fully understand the scope of this problem.

We can no longer allow sexual violence and abuse to persist on our roads, our waters, or in our skies. We must ensure our transportation system is safe for those who work in it and those who wish to use it. This bill, which will allow us to finally track, respond to, and ultimately prevent sexual assault and harassment within all areas of our transportation system, brings us one step closer to attaining that goal.

I want to acknowledge and express my appreciation for the many supporters of this bill. In particular, the bill has been strongly endorsed by the Air Line Pilots Association, American Association for Justice, Association of Flight Attendants, Association of Professional Flight Attendants, National Center on Sexual Exploitation, Rights4Girls, Survivors for Solutions, Transportation Communications Union, Transportation Trades Department, AFL-CIO, and Transport Workers Union of America. I would also like to thank my Republican colleagues for their help in strengthening this bill by expanding its requirements to State-regulated for-profit vehicles.

Madam Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 18, 2022.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and
Infrastructure, House of Representatives,
Washington, DC.

DEAR CHAIRMAN DEFAZIO: This letter is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 5706, the “Stop Sexual Assault and Harassment in Transportation Act,” that fall within our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 5706, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 21, 2022.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for your letter regarding H.R. 5706, the Stop Sexual Assault and Harassment in Transportation Act. I appreciate your willingness to review the legislation.

I acknowledge that by foregoing formal consideration on H.R. 5706, the Committee on the Judiciary does not waive any future jurisdictional claims to provisions in this or similar legislation, and that your Committee will be consulted and involved on any matters in your Committee's jurisdiction should this legislation move forward. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on the Judiciary has a valid jurisdictional claim.

I appreciate your cooperation regarding this legislation, and I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of H.R. 5706.

Sincerely,

PETER A. DEFAZIO,
Chair.

Mr. WEBSTER of Florida. Madam Speaker, I yield myself such time as I may consume.

I rise in support of the goal of H.R. 5706 to prevent incidents of sexual assault and harassment in transportation. Passengers should feel safe when they are traveling, and transportation workers should feel safe in their workplace.

No one condones sexual misconduct. That is why the Transportation and Infrastructure Committee and Congress took such a strong bipartisan stance against this type of behavior in air transportation in the FAA Reauthorization Act of 2018.

Last Congress, this legislation passed the House by voice vote, after Chairman DEFAZIO worked with the other side of the aisle to address technical concerns with the bill to avoid unintended implementation issues.

Again, I want to thank Chairman DEFAZIO for working with us on this bill. I urge support of this legislation, and I reserve the balance of my time.

Mr. DEFAZIO. Madam Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. WEBSTER of Florida. Madam Speaker, in closing, we want to help ensure that sexual misconduct in transportation is eliminated, and this bill is a step in the right direction. I urge support of this legislation and yield back the balance of my time.

Mr. DEFAZIO. Madam Speaker, as I said earlier, I urge my colleagues to support this bill. Hopefully, we can move it out of the House unanimously and get the Senate to act in the near future. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFA-

ZIO) that the House suspend the rules and pass the bill, H.R. 5706.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

WILLIAM T. COLEMAN, JR. AND NORMAN Y. MINETA DEPART- MENT OF TRANSPORTATION HEADQUARTERS ACT

Mr. DEFAZIO. Madam Speaker, I move to suspend the rules and pass the bill (S. 400) to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the "William T. Coleman, Jr. and Norman Y. Mineta Federal Building", as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "William T. Coleman, Jr. and Norman Y. Mineta Department of Transportation Headquarters Act".

SEC. 2. DESIGNATION.

The headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, shall be known and designated as the "William T. Coleman, Jr. and Norman Y. Mineta Federal Building".

SEC. 3. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the "William T. Coleman, Jr. and Norman Y. Mineta Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Florida (Mr. WEBSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 400, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DEFAZIO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of S. 400, as amended, a bill to name the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Wash-

ington, D.C. as the William T. Coleman, Jr. and Norman Y. Mineta Federal Building.

The text we are considering today represents an agreement reached with the Senate and reconciles the differences between S. 400 and my bill, H.R. 4679, which passed the House last November. This compromise language pays tribute to two American patriots, William T. Coleman, Jr. and Norman Yishio Mineta.

William T. Coleman, Jr. led a life of extraordinary achievement. He attended a segregated elementary school, graduated summa cum laude from the University of Pennsylvania, and was accepted into Harvard School of Law. He left in 1943 to enlist in the Army Air Forces, trained with the Tuskegee Airmen, after which he returned to Harvard Law School and graduated first in his class.

He was the first African-American clerk on the Supreme Court. He also worked with Thurgood Marshall on the legal team preparing the briefs in *Brown v. Board of Education*, served as president and chairman of the NAACP Legal Defense and Educational Fund, and argued 19 cases before the Supreme Court. Mr. Coleman was the second African American to serve in a White House Cabinet, after being appointed Transportation Secretary by President Gerald R. Ford in March 1975.

Norman Y. Mineta also has an extraordinary life story. He, along with his family, suffered the grave injustice of being forcibly relocated and interned during World War II, but he was not bitter toward his government. Instead, he spent his career serving his country by participating in and improving government.

For almost 30 years, Norm represented San Jose, California, on the city council, then as mayor, and from 1975 to 1995 as a Member of Congress. He served on the Committee on Public Works and Transportation during his entire time in Congress. He chaired the Subcommittee on Aviation, the Subcommittee on Surface Transportation, and he chaired the full committee for one full term.

Norm's skills and accomplishments were widely recognized. He was President Bill Clinton's Secretary of Commerce and President George W. Bush's Secretary of Transportation, where he was the longest-serving Secretary of Transportation in U.S. history.

Following the terrorist acts of September 11, 2001, Secretary Mineta guided the creation of the Transportation Security Administration, an agency with more than 65,000 employees, the largest mobilization of a new Federal agency since World War II.

For their contributions to this institution, to our government, and to the field of transportation, Secretary William T. Coleman, Jr. and Secretary Mineta deserve this recognition. I strongly support this legislation and urge my colleagues to join me.

Madam Speaker, I reserve the balance of my time.